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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/806,125	
	Filing Date	March 28, 2001	
	First Named Inventor	E. Matsutani	
	Group Art Unit	1642	
	Examiner Name	S. Rawlings	
Total Number of Pages in This Submission	4	Attorney Docket Number	2556 USOP

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Firm or Individual name	Elaine M. Ramesh, Ph.D., JD, Reg. No. 43,032
Signature	<i>Elaine M Ramesh</i>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	09/806,125	Art Unit:	1642
Filed:	March 28, 2001	Examiner:	S. Rawlings
1 <sup>st</sup> Inventor:	E. Matsutani	Allowed:	
For:	Agent That Retards Transformation of Hormone-Dependent Cancer to Non- Hormone-Dependent Cancer	Batch:	
Atty. Dkt. No.	2556 USOP	Paper No.:	20

**Election of Claims**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to thank the Examiner for his kind reconsideration of the previous election. In response to the Office Action mailed February 10, 2004 (Paper No. 19), Applicants elect to prosecute the aspect of the invention identified in Sec. 4. A1 (the peptide of SEQ ID NO 1 wherein Y is D-Leu and Z is NH-C<sub>2</sub>H<sub>5</sub> or a salt thereof) and Sec. 4 BA (EGF or a substance possessing substantially the same activity as EGF).

Applicants note that claim 5 was not included in Sec. 4 of the Office Action, and wish to state for the record that claim 5 should be included for examination. The aspect of the invention set forth in claim 5 falls under the Examiner's group identified in Sec. 4 A1.

Applicants further note that claim 11 is a method of use claim.

Applicants make the election with traverse. Applicants assert that the species identified in Sec. 4 A1, A3, A5, A7, A9 and A11 all include the peptide of SEQ ID No. 1 wherein Z is NH-C<sub>2</sub>H<sub>5</sub>. Applicants do not believe that unification of the species identified in Sec. 4 A1, A3, A5, A7, A9 and A11 for present examination would unduly burden the Examiner in making a search for peptides represented by all of the sequences.

This is especially so as it appears that the Examiner is requiring that the composition recited in claim 1 also include the subject matter of claims 4 and 6.

No amendment of inventorship is necessitated by this election.



Early allowance of the claims is requested. Should the Examiner believe that a conference with Applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call Applicants' attorney at the number below.

Respectfully submitted,

Date: March 3, 2004

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